



Official Report
Aithisg Oifigeil

DRAFT

Delegated Powers and Law Reform Committee

**Comataidh
nan Cumhachdan Tiomnaichte
agus Ath-leasachadh an Lagha**

Tuesday 29 September 2026

Session 7



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Pàrlamaid na h-Alba

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DELEGATED POWERS AND LAW REFORM COMMITTEE 6th Meeting 2026, Session 7

CONVENER

Calum Kerr (Midlothian South, Tweeddale and Lauderdale) (SNP)

DEPUTY CONVENER

Q Manivannan (Edinburgh and Lothians East) (Green)

COMMITTEE MEMBERS

Amanda Lindsay (Central Scot and Lothians West) (Reform)

Colm Merrick (Glasgow Anniesland) (SNP)

Paul Sweeney (Glasgow) (Lab)

*attended

LOCATION

The James Clerk Maxwell Room (CR4)

Scottish Parliament

Delegated Powers and Law Reform Committee

Tuesday 29 September 2026

[The Convener opened the meeting at 10:00]

Decision on Taking Business in Private

The Convener (Calum Kerr): Welcome to the sixth meeting of the Delegated Powers and Law Reform Committee in session 7. Paul Sweeney has joined us remotely. I remind everybody to switch off or set to silent their mobile phones and electronic devices.

The first item of business is to decide whether to take items 5, 6 and 7 in private. Is the committee content to take those items in private?

Members indicated agreement.

Draft Instruments subject to Approval

10:00

The Convener: Under agenda item 2, we are considering three instruments, on which no issues have been raised.

First-tier Tribunal for Scotland (Transfer of Functions and Members of the Police Appeals Tribunal) Amendment Regulations 2026 [Draft]

Air Departure Tax (Scotland) Amendment Regulations 2026 [Draft]

Air Departure Tax (Administration) (Scotland) Amendment Regulations 2026 [Draft]

The Convener: Is the committee content that no reporting grounds are engaged?

Members indicated agreement.

Instruments subject to Annulment

10:01

The Convener: Under agenda item 3, we are considering two instruments. An issue has been raised on the following instrument.

Council Tax Reduction (Miscellaneous Amendment) (No 2) (Scotland) Regulations 2026 (SSI 2026/259)

The Convener: The committee asked the Scottish Government whether the word order in the title of this instrument should have been “(Scotland) (No 2)” rather than “(No 2) (Scotland)”, in line with standard practice. The Scottish Government accepted this point, but does not intend to take any corrective action because the legal effect of the instrument is unaffected.

Does the committee wish to draw this instrument to the attention of the Parliament on the general reporting ground, for the failure to follow standard drafting practice in the title of the instrument, and to be content that corrective action would be inappropriate?

Members indicated agreement.

The Convener: Also under this agenda item, no issues have been raised on the following instrument.

Representation of the People (Absent Voting at Local Government Elections) (Scotland) Amendment (No 2) Regulations 2026 (SSI 2026/263)

The Convener: Is the committee content that no reporting grounds are engaged?

Members indicated agreement.

The Convener: Also in relation to this instrument, does the committee wish to welcome that it fulfils a commitment by the Scottish Government to correct an error that this committee identified in Representation of the People (Absent Voting at Local Government Elections) (Scotland) Amendment Regulations 2026 (SSI 2026/251)?

Members indicated agreement.

Instruments not subject to Parliamentary Procedure

10:02

The Convener: Under agenda item 4, we are considering four instruments. An issue has been raised on the following instrument.

Children (Care, Care Experience and Services Planning) (Scotland) Act 2026 (Commencement No 1) Regulations 2026 (SSI 2026/258 (C 25))

The Convener: This instrument brings various provisions of the Children (Care, Care Experience and Services Planning) (Scotland) Act 2026 into force.

The committee asked the Scottish Government whether certain definitions, including

“family group decision-making services”,

should also have been commenced by this instrument.

The Scottish Government’s response is published alongside the papers for this meeting. The Government acknowledged that there is an inconsistency in the drafting approach in relation to the commencement of the consultation requirement, and that this particular definition should be commenced for the purposes of section 64. The Government intends to commence the definition in the next commencement instrument, which will ensure that it applies for all purposes, including the consultation requirement.

Does the committee wish to draw the instrument to the attention of the Parliament on the general reporting ground, on the basis of the inconsistent approach taken to the commencement of definitions?

Members indicated agreement.

The Convener: Does the committee wish to welcome that the Scottish Government intends to address this in the next commencement Scottish statutory instrument for the 2026 act, which will be laid at the next opportunity?

Members indicated agreement.

The Convener: The committee also asked the Scottish Government whether a reference in the instrument to section 73A(2) should be to section 73A(3). The Scottish Government accepted that the reference was wrong and advised that it intends to correct this by correction slip.

Does the committee wish to welcome that the Scottish Government intends to address the point concerning section 73A(2) by correction slip?

Members indicated agreement.

The Convener: Also under this agenda item, no issues have been raised on the following instruments.

Tertiary Education and Training (Funding and Governance) (Scotland) Act 2026 (Commencement No 1) Regulations 2026 (SSI 2026/261 (C 26))

Police (Ethics, Conduct and Scrutiny) (Scotland) Act 2025 (Commencement No 2 and Transitional Provision) Regulations 2026 (SSI 2026/262 (C 27))

Community Wealth Building (Scotland) Act 2026 (Commencement) Regulations 2026 (SSI 2026/265 (C 28))

The Convener: Is the committee content that no reporting grounds are engaged?

Members indicated agreement.

The Convener: That concludes the public part of the meeting.

10:05

Meeting continued in private until 10:33.

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